

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In Re:

James Roberts, Jr.

Case No.: 17-35403

Judge: Michael B. Kaplan

Chapter: 13

CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION

The debtor in this case opposes the following (**choose one**):

1. ☐ Motion for Relief from the Automatic Stay filed by _____, creditor,

A hearing has been scheduled for _____, at _____.

☒ Motion to Dismiss filed by the Chapter 13 Trustee.

A hearing has been scheduled for 10/9/19, at 9 am.

☐ Certification of Default filed by _____,

I am requesting a hearing be scheduled on this matter.

2. I oppose the above matter for the following reasons (**choose one**):

☐ Payments have been made in the amount of \$ _____, but have not been accounted for. Documentation in support is attached.

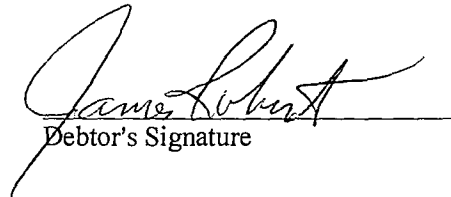
☐ Payments have not been made for the following reasons and debtor proposes repayment as follows (explain your answer):

☒ Other (explain your answer):
See attached.

3. This certification is being made in an effort to resolve the issues raised in the certification of default or motion.

4. I certify under penalty of perjury that the above is true.

Date: _____


Debtor's Signature

Date: _____

Debtor's Signature

NOTES:

1. Under D.N.J. LBR 4001-1(b)(1), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 7 days before the date of the hearing if filed in opposition to a Motion for Relief from the Automatic Stay or Chapter 13 Trustee's Motion to Dismiss.
2. Under D.N.J. 4001-1 (b)(2), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 14 days after the filing of a Certification of Default.

James Roberts, Jr.
Case No.: 17-35403
Attachment to Chapter 13 Debtor's Certification in Opposition to
Trustee's Motion to Dismiss

I have been struggling to pay the Trustee payments from personal funds as I have been unable to sell the commercial property at 645 Prospect Street despite having retained a Realtor. This August we were in the process of retaining special counsel and solicited multiple smaller offers to lease the property. I would utilize proceeds from any lease, purchase agreement to pay real estate taxes and fund the Plan. I am hopeful by the return date of the hearing I will have special counsel appointed and a draft lease or purchase agreement, as well as, another payment to the Trustee.